

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KUANG-BAO P. OU-YOUNG,

Plaintiff,

v.

COUNTY OF SANTA CLARA, et al.,

Defendants.

Case No. 21-cv-07361-BLF

**ORDER DENYING PLAINTIFF'S
FOURTH MOTION TO DISQUALIFY**

[Re: ECF 61]

This order addresses Plaintiff Kuang-Bao Paul Ou-Young's fourth motion to disqualify (ECF 61) filed in this closed case. Plaintiff's three prior motions were referred to other district judges for disposition were denied. *See* ECF 40, 59. Judge William H. Orrick's order dated August 18, 2022 concluded with the following paragraph:

This case is closed. Judgment has been entered. Nothing is left to be resolved by Judge Freeman – or any other district court judge – with respect to the allegations that plaintiff raised in this case. The Clerk is directed to not accept for filing any further motions to disqualify in this closed case.

ECF 59. Plaintiff nonetheless has filed a fourth motion to disqualify, which is substantially similar to his first three motions. For the reasons stated in the orders denying Plaintiff's prior motions to disqualify, and based on Judge Orrick's order that no further motion to disqualify may be filed in this closed case, Plaintiff's fourth motion to disqualify is DENIED as frivolous. *See Toth v. Trans World Airlines, Inc.*, 862 F.2d 1381, 1387-88 (9th Cir. 1988) (a district judge may deny a legally insufficient motion to disqualify without referring it to another district judge).

IT IS SO ORDERED.

Dated: September 6, 2022



BETH LABSON FREEMAN
United States District Judge